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FILED
U.S. DISTRICT COURT

2017 JAN 17 P 2:10

DISTRICT OF UTAH

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

DEPUTY CLERK

ZACHARY R. E. RUSK,

Objection & Request to Submit for Decision

Plaintiff,

2:15-cv-00853

v.

District Judge: Jill Parish

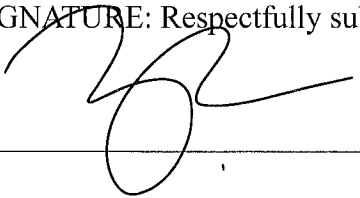
Magistrate Judge: Evelyn Furse

FIDELITY BROKERAGE SERVICES, LLC

Defendant.

1. On or around November 1st, 2016, Rusk submitted an amended complaint as directed.
2. On or around November 17th, FBS submitted their reply to the amended complaint.
3. On or around December 1st, FBS requested to submit for decision.
4. Shortly thereafter, Rusk moved to strike FBS's additional memorandum in further reply within their motion to submit.
5. In Rusk's motion to strike, Rusk provided perhaps what can be found as material that may be somewhat necessary for the court to consider, but much if not all of which was provided already.
6. Rusk providing this information in a motion to strike is no different than FBS providing the further information they provided in the their motion to submit in further attempt of theirs to attempt to justify the defendants rather quite clear untenable actions (among their attempts to further try and delay, as well as corroborate in not food faith, aside from any judicial tardiness from the predecessor court(s)).
7. If the court truly needs more information, Rusk is happy to provide whatever the court may need to empower the court to stay impartial and not prejudice Rusk's case as can already have been seen to occur, but apparently needs request or be granted a leave to amend to provide

- such (again, only if it should be seen as absolutely necessary and material, should it not have already been found to be submitted and/or proper enough at the courts reasonable discretion).
8. Rusk also puts the court on notice that if it is determined that the conduct of Defendants is willful and malicious, or manifests a knowing and reckless indifference toward, and a disregard of, Rusk's rights, punitive damages in an amount equal to at least three hundred percent (300%) of Rusk's proven compensatory damages should be awarded.
 9. In any event and without further a due, unless otherwise deemed just, Rusk (also, with, by and through the defendants joint request of their own) respectfully hereby request's the court to submit for decision on the motion to dismiss as that motion appears to be ripe for decision.
 10. DECLARATION: I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.
 11. CERTIFICATE OF SERVICE: I hereby certify that a copy of the foregoing objection to FBS's objection and request to submit has been transmitted to Defendant(s).
 12. SIGNATURE: Respectfully submitted on this 15th day of January 2016.



Zachary R. E. Rusk